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Marine Casualty Investigations

Enquêtes sur les accidents maritimes

Investigation Report to the Minister pursuant to sections 542 or 545 of the Canada Shipping Act

Rapport d'investigation au Ministre conformément aux articles 542 ou 545 de la Loi sur la marine marchande du Canada

Canada

Ce rapport est aussi disponible en français.

REPORT OF INVESTIGATION INTO THE CIRCUMSTANCES ATTENDING THE CAPSIZING OF A SMALL OPEN FISHING BOAT WITH THE LOSS OF TWO PERSONS OFF LAMALINE, NEWFOUNDLAND, MAY 13, 1988

REPORT No. 520

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REPORT OF INVESTIGATION INTO THE CIRCUMSTANCES ATTENDING THE CAPSIZING OF A SMALL OPEN FISHING BOAT WITH THE LOSS OF TWO PERSONS OFF LAMALINE, NEWFOUNDLAND, MAY 13, 1988

Particulars of Vessel

Name	No Name
Licence Number	10M1747
CFV Number	127363
Gross Tonnage (Calculated)	2.98
Length	6.09 m
Breadth	2.36 m
Depth	1.07 m
Type	Open Speedboat- Fibreglass
Built	1988
Propulsion	60 h.p. Yamaha Outboard Motor
Crew	2
Owner	Andre Strickland Allan's Island, P.B. Nfld.

Background

The owner/operator and his brother, as crewman, departed from the community of Allan's Island at noon on May 13, 1988, in a 6-metre fibreglass open boat to haul their lump fish nets. When they had not returned home by dark, their families became concerned and a local search was started. After several hours searching, with negative results, they were reported as overdue and missing to the Canadian Coast Guard and the Royal Canadian Mounted Police.

During an organized search the next day their 6-metre boat was found overturned but there was no sign of the two fishermen. Intensive searching of the area during the next several days failed to find any trace of the men. Twenty-five days later, on June 7, 1988, the body of one man was found floating in the waters of Fairhaven Harbour some 120 miles northeast of the casualty site. The other body has not been recovered.

Particulars of the Deceased

Name	Andre Strickland
Position on Board	Owner/Operator
Age	26
Address	Lamaline, Nfld.

Missing and presumed drowned.

Name	Cecil Strickland
Position on Board	Crewman
Age	39
Address	Point au Gaul, Nfld.

Narrative

Two brothers, members of a family fishing operation from the community of Allan's Island on the Burin Peninsula of Newfoundland, had tended their fleet of lobster pots from their 6-metre open fibreglass speedboat on the morning of May 13, 1988. They returned to port about 1000. Some time around noon they departed again to haul a fleet of lump fish nets set in an area locally known as the Western Grounds, approximately two miles southwest of Allan's Island near the western mouth of Placentia Bay. Weather conditions were good with calm seas, a light haze and westerly winds of 5 knots. They were reportedly last seen at 1530, with no indication of any trouble as they were hauling their nets.

When they had not returned home by nightfall that evening, the family became concerned and aided by other local fishermen a search was started. After searching for several hours, without success, the men were reported as overdue and missing to the St. Lawrence Coast Guard Radio Station at 2234 May 13, 1988. The Canadian Marine Rescue Sub-Center (MRSC) at St. John's, Newfoundland was consequently notified and a formal search initiated. Two Canadian Coast Guard vessels were tasked to the area and an 'all ships broadcast' was issued. Air support was requested but had to be cancelled due to fog which had by then developed in the area. A local Canadian Marine Rescue Auxiliary (CMRA) vessel "AUBREY & PAUL III" was tasked.

At 0125 a brother of the two missing men reported to the St. Lawrence detachment of the RCMP that they were missing. Although fog had set in over the area the RCMP patrolled the highway from Grand Bank to St. Lawrence but no flares were sighted nor was there any sign of the missing brothers.

At daybreak, May 14, members of the local volunteer fire department conducted an ATV (all terrain vehicle) shoreline

search with negative results. During the morning local fishermen located and pulled some nets which had been set by the missing men but nothing other than a cap, believed owned by one of the men, was found. An RCMP Boston whaler with the assistance of some fishermen, found the 6-metre overturned boat used by the two missing brothers, floating adrift in position 46°59.5' N., 55°52.5' W. The search for the missing men continued with negative results. Later in the day, Air Rescue 306 from Gander, Newfoundland, tried to reach the area but had to turn back due to fog.

The Canadian Coast Guard Search and Rescue effort ceased at 2200 May 15, 1988 and was handed over to the RCMP as a missing persons case. The police effort continued. A police diving team had been brought to the area; however, water depth of 23-30 fathoms was assessed as too deep for a dive.

The case remains open as a 'missing persons presumed drowned at sea'. On June 7, 1988, twenty-five days after the incident the body of Andre Strickland, one of the missing brothers, was found floating in Fairhaven Harbour, Placentia Bay, approximately 120 miles northeast of the mishap area. The body of Cecil Strickland has not been found to date of writing this report.

Analysis

1. Weather

Weather conditions in the area during daylight hours on May 13, 1988, were reported as calm seas, clear visibility in a light haze and westerly winds of 5 knots. At a nearby St. Lawrence Coast Guard Radio Station weather conditions were recorded as:

Time	Wind Direction	Wind Speed	Visibility	Air Temp.
1030	270°	5 knots	3/4 mi. fog	+6.6°C
1330	350°	8 "	15 miles	+12.2°C
1630	290°	8 "	15 "	+14.8°C
1930	230°	9 "	15 "	+15.0°C
2230	350°	6 "	15 "	+8.8°C

A sea state forecast for May 13, 1988, listed seas near one metre. Those sea conditions would not normally be expected to be a factor in the loss of such a boat.

Sea temperatures recorded by the Canadian Coast Guard vessel "ANN HARVEY" during the search operation on May 14, 1988, were listed as +5°C in position 47.1°N.,

55.2°W. and +5.5°C in position 46.9°N., 55.2°W.

2. Boat and Motor

The fibreglass 6.09 m open speedboat owned by Andre Strickland was new and was in use for its third trip since being delivered in April. The 60 h.p. Yamaha outboard motor was also new, having been purchased for use with the boat. The boat was not inspected by the Ship Safety Branch of the Canadian Coast Guard nor was it required to be by regulation. Registered as a Commercial Fishing boat, it is subject to Part II of the Small Fishing Vessel Inspection Regulations made pursuant to the Canada Shipping Act, and must comply with the sections of those regulations dealing with life-saving and fire-extinguishing equipment. The navigating lights and signals were covered by the Collision Regulations which apply to all vessels (for excerpts of the regulations see Annex 1).

Although a new boat, this is one of many similar boats made from the same mould since January 1987. In all, just over 300 of her type, from the same mould, are in use in the fishery around the coast of Newfoundland and off the coast of Labrador. There have been no other adverse reports of the boats' sea-keeping qualities causing capsize or loss.

The maximum recommended safe operational horsepower for this size boat is given as 75 h.p. Having been fitted with a new 60 h.p. motor, it is not considered that the boat was overpowered.

Once overturned, a vessel of her type can remain afloat aided by the built-in buoyancy contained in the floor sections and by air pockets trapped on overturning. Uprighting the boat from an overturned position by non-swimmers, unaided by some form of flotation device, would prove difficult if not impossible. The nature of her construction, being fibreglass and thus very smooth, would provide very little in the way of handhold for a person in the water.

Items reported as being on board when the boat departed for the fishing grounds were:

2 lifejackets
3 flares
2 packages of small flares
8 oars
Several gaffs of various lengths
1 22-litre plastic pail

Both lifejackets and one gaff were recovered; all other items were missing.

When recovered the overturned boat was found undamaged. A reddish colour minor scrape mark of approximately 5 cm x 10 cm could barely be seen on the port side some 0.7 m aft of the stem near the waterline. The cover was missing from the outboard motor. The throttle was on 'stop' and the gear lever in the 'neutral' position. The results of a workshop examination of the motor would appear to confirm that the motor was stopped at the time of the tragedy. The propeller was not fouled by ropes or nets. The fuel tank was attached. There were 4 fleets of nets, consisting of 10 nets per fleet, set in a water depth of 30 fathoms. It was believed that they may have had 1½ nets hauled prior to the mishap. It had been reported by a local fisherman that the two brothers were seen by him as they were tending their nets when he passed nearby enroute back to port. It was about 1530 and there was no indication of any problems at that time. It is not possible to offer a single "most probable" scenario as to why the casualty occurred.

3. The Search

When the two brothers had not returned home as darkness approached, their families became concerned and a search by local area fishermen was started. By 2230 it was decided to contact the Canadian Coast Guard for assistance and at 2234 MRSC St. John's was notified of the overdue boat.

At 2245 the Canadian Coast Guard cutter "BURIN" was tasked, followed at 2312 by the tasking of the Canadian Coast Guard ship "ANN HARVEY". Both vessels arrived in the area at 0300 on May 14. An 'all ships broadcast' was issued at 2326. Weather conditions in the area at the time the boat was reported overdue precluded air support and reduced effectiveness of night search by surface vessels.

At 0627, May 14, the CMRA vessel "AUBREY & PAUL III" was tasked and at 1000 an RCMP Boston whaler participated in the search.

At 1252 the overturned boat, owned by Andre Strickland, was located by the RCMP Boston whaler in position 46°50.5'N., 55°52.5'W. However, there was no sign of the occupants.

The search by surface vessels continued throughout the day and into the night without success. RCMP divers

arrived in the area May 15, 1988, and after assessing the area, determined the water depth to be 23-30 fathoms which was considered too deep for a dive. In the meantime, an ATV shoreline search by the local volunteer fire department was conducted with negative results.

The search continued on May 15, 1988, with no trace of either missing man and at 2200 the SAR operation ceased and was handed over to the RCMP as a missing persons case for two men presumed drowned at sea. RCMP efforts, including an underwater search of the area by a remotely controlled underwater television camera, continued for several days; however, nothing further was located and the case remains open.

On June 7, 1988, the body of Andre Strickland was found floating in the waters of Fairhaven Harbour, Placentia Bay, approximately 120 miles from the Allan's Island area. The victim was not wearing a lifejacket or PFD.

Due to the advanced decomposition of the body, an autopsy was not carried out.

4. Survival

Average seawater temperatures recorded in the area on May 14, 1988, was +5.25°C. A Canadian Red Cross publication entitled 'Cold Water Survival' graphically shows that a person's chances of survival in a seawater temperature of +5°C is strong if rescued immediately and that he can help himself for up to 35 minutes. After 35 minutes and up to one hour and thirty minutes in the water, persons have a 50% possibility of survival. The times are average predicted survival times of adult humans. The figures are based on experimental cooling of average men and women who were holding still in ocean water and wearing a standard lifejacket and light clothing. Predicted survival time is increased by extra body fat and decreased by small body size.

These averages would vary depending on the physical condition of the persons, their age, whether injuries had been sustained and the weather conditions. Consumption of alcohol makes the victim feel warmer but accelerates heat loss (see Annex II). As is the case in many accidents of this nature, it would seem that the wearing of lifejackets and/or PFD's is often neglected by fishermen on board their vessels. Wearing of those items is considered uncomfortable and cumbersome during fishing operations and more so if the fisherman is wearing heavy clothing.

As the fishermen left port on May 13 enroute to the fishing grounds they were reportedly wearing:

Andre - green rubber pants over jeans, shirt, burgundy windbreaker jacket, black hip rubber boots and a cap (the cap recovered in the nets hauled by searchers on the morning of May 14 was identified as the cap worn by Andre).

Cecil - green rubber pants over coveralls, jeans, shirt, yellow and brown three-quarter length jacket, and black rubber boots.

They were not swimmers and as they left for the fishing grounds they were not wearing lifejackets or any form of flotation device although two lifejackets were found aboard the boat.

5. **Experience**

Fishing was their full-time profession and both men were thus considered to be well experienced fishermen. Neither was certificated nor were they required to be by regulation. Besides fishing from open boats most of their lives, they also served on board a small longliner together with their other brothers.

Findings

On May 13, 1988, in good weather conditions, some time after 1530 while on the fishing grounds hauling their lump fish nets, two brothers, Andre and Cecil Strickland, were lost overboard when their 6-metre fibreglass boat swamped and/or overturned for reasons unknown. In the absence of any witnesses to the casualty it would appear that they lost their lives due to the following contributing factors:

- the victims were not wearing any form of flotation device;
- they were unable to utilize the flares, or if used, the flares were not seen;
- certain items of safety gear were not secured in the boat and therefore lost;
- they were wearing heavy clothing;
- they were not swimmers; and

- the cold seawater temperature limited their survival time.

Marine Casualty Investigations
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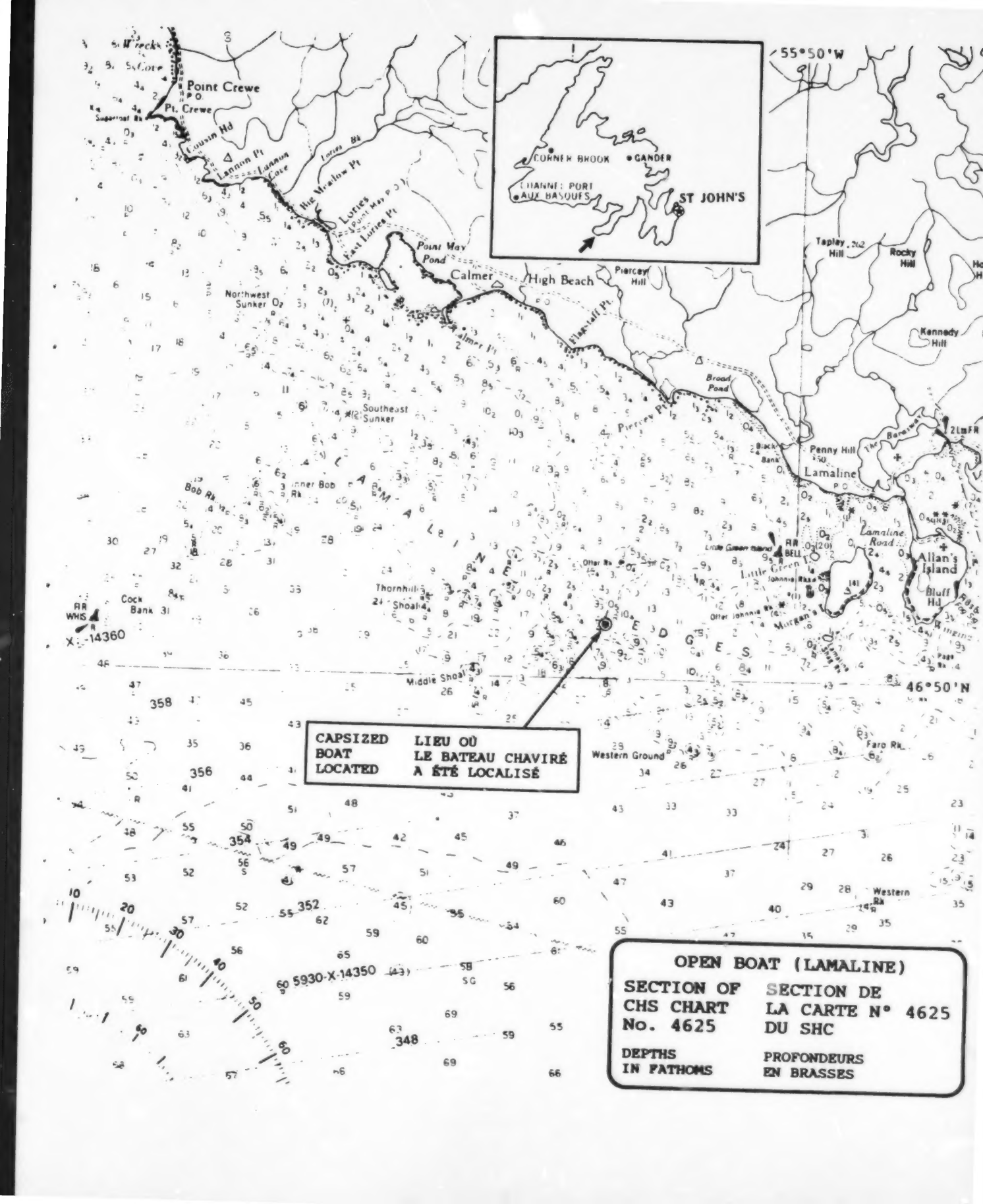
MAY, 1989.


55°50'W
46°50'N
CORNER BROOK
GANDER
CHANNEL-PORT AUX BASQUES
ST JOHN'S
Point Crewe
P O
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Cousin Hd
Lannon Pt
Lannon Cove
The Meadow Pt
Luries
Point May P O
East Luries Pt
Point May Pond
Calmer
High Beach
Piercey Hill
Northwest Sunker
Southeast Sunker
Flagstaff Pt
Broad Pond
Piercey Pt
Tapley Hill
Rocky Hill
Kennedy Hill
Penny Hill
Lamaline
P O
Lamaline Road
Allan's Island
Bluff Hd
Bob Rk
Inner Bob Rk
Cock Bank
Thornhill Shoal
Middle Shoal
Western Ground
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Little Green Island
Other Rk
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Black Bank
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358
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352
348
CAPSIZED BOAT LOCATED
LIEU OÙ LE BATEAU CHAVIRÉ A ÉTÉ LOCALISÉ
OPEN BOAT (LAMALINE)
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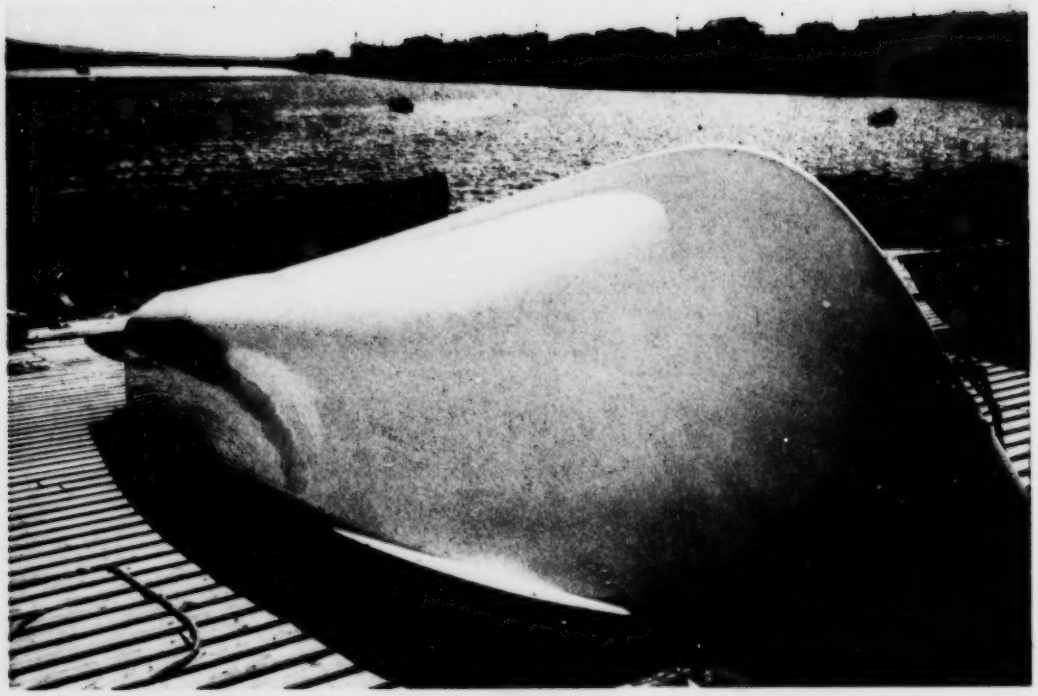
DEPTHS IN FATHOMS
PROFONDEURS EN BRASSES



Recovered 6.09 m fibreglass boat from which the two brothers were fishing at the time of the casualty.

Embarcation de 6,09 m en fibre de verre à partir de laquelle les deux frères pêchaient au moment de l'accident qui a été récupérée.

ANNEX I

CANADA SHIPPING ACT

Small Fishing Vessel Inspection Regulations

PART II

FISHING VESSELS NOT EXCEEDING FIFTEEN TONS, GROSS TONNAGE

Application

52. This Part applies to fishing vessels not exceeding 15 tons, gross tonnage, that are not sailing ships.

Life Saving Equipment, Lights and Signals

53 (1) In this section, "approved", when used in reference to an article, means that the article has been built in accordance with the standards therefor in the *Life Saving Equipment Regulations* and has been approved by the Board.

"(2) Every fishing vessel not exceeding 12.2 m in length shall carry

(*a*) one approved life jacket for each person on board;

(*b*) one approved lifebuoy fitted with 27 m of line; and

(*c*) one watertight can containing six approved self-igniting flares.

(3) Every fishing vessel exceeding 12.2 m in length shall carry

(*a*) one approved life jacket for each person on board,

(*b*) a sufficient number of lifeboats, boats, dories, skiffs or seine skiffs to accommodate all persons on board the vessel; and

(*c*) one watertight can containing six approved self-igniting red flares.

"(4) Every fishing vessel shall carry sufficient lights and equipment to comply with the *Collision Regulations*, and such lights shall be oil or electric."

APPENDICE I

LOI SUR LA MARINE MARCHANDE DU CANADA

Règlement sur l'inspection des petits bateaux de pêche

PARTIE II

BATEAUX DE PÊCHE D'UNE JAUGE BRUTE D'AU PLUS QUINZE TONNEAUX

Application

52. La présente partie s'applique aux bateaux de pêche qui, ayant une jauge brute d'au plus 15 tonneaux, ne sont pas des voiliers.

Équipement de sauvetage, feux et signaux

53 (1) Au présent article, l'expression «approuvé», appliquée à un objet, signifie que l'objet a été construit conformement aux normes applicables, établies dans le *Règlement sur l'équipement de sauvetage*, et qu'il a été approuvé par le Bureau.

«(2) Tout bateau de pêche ne dépassant pas 12,2 m de longueur doit avoir

a) un gilet de sauvetage approuvé pour chaque personne à bord;

b) une bouée de sauvetage approuvée munie d'une ligne de 27 m; et

c) une boîte métallique étanche contenant six feux approuvés à allumage automatique.

(3) Tout bateau de pêche dépassant 12,2 m de longueur doit avoir

a) un gilet de sauvetage approuvé pour chaque personne à bord;

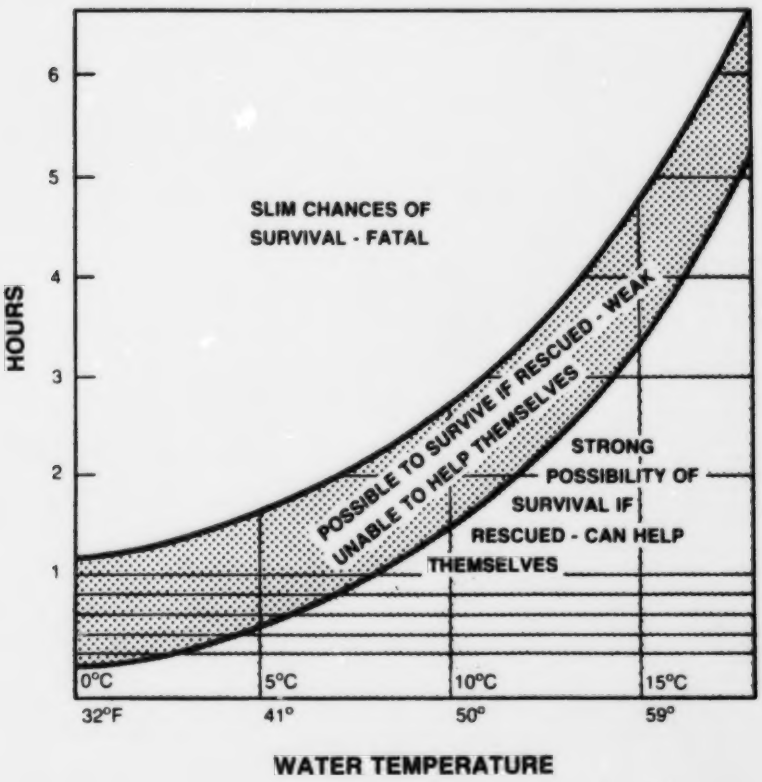
b) un nombre suffisant d'embarcations de sauvetage, de bateaux, de doris, d'esquifs ou de senneurs pour recevoir toutes les personnes à bord; et

c) une boîte métallique étanche à l'eau contenant six feux rouges approuvés à allumage automatique.

«(4) Tout bateau de pêche doit être pourvu d'un équipement et de feux conformes aux exigences du *Règlement sur les abordages*, ces feux doivent être soit au pétrole, soit électrique.»

ANNEX II

COLD WATER SURVIVAL



The accompanying graph shows average predicted survival times of average, adult humans in water of different temperatures. The figures are based on experimental cooling of average men and women who were holding still in ocean water and wearing a standard lifejacket and light clothing. The graph shows, for example, that predicted survival time is about 2½-3 hours in water of 10°C (50°F). Predicted survival time is increased by extra body fat and decreased by small body size. Although women generally possess slightly more fat than men they cool slightly faster due to their usually small body size. However, for comparable sizes, the man will cool faster.

"COLD WATER SURVIVAL"
CANADIAN RED CROSS